Single Bench

(4)

CF 1007

IN THE HIGH COURT OF CHHATTISGARH
AT BILASPUR

WRIT PETITION (S) No. 4555 /2006

PETITIONER :: PRAMOD KUMAR KANNOUJE, S/O. SHRI JHALA RAM KANNOUJE, AGED ABOUT 40 YEARS, ASSISTANT TEACHER, GOVERNMENT BOYS HIGHER SECONDARY SCHOOL, MAHASAMUND, R/O. CLUB PARA, WARD NO.19, MAHASAMUND, TAHSIL & DISTRICT MAHASAMUND (C.G.).

P.R. No. 4594/06
Presented by Shri Uma Pandey
dated 22/8/06

VERSUS

RESPONDENTS :1) STATE OF CHHATTISGARH, THROUGH SECRETARY, DEPARTMENT OF SCHOOL EDUCATION, DKS BHAVAN, RAIPUR (C.G.)

RECEIVED-COPY
22/8/06
CLERK TO A. G. BILASPUR

:2) COMMISSIONER, DEPARTMENT OF TRIBAL WELFARE, RAIPUR (C.G.)

OATH COMMISSIONER
APARNA MALVIYA
CG-307/2006
20/08/06
Bilaspur Chhattisgarh

:3) THE DIRECTOR, PUBLIC INSTRUCTION, RAIPUR (C.G.)

WRIT PETITION UNDER ARTICLES 226/227

OF THE CONSTITUTION OF INDIA

XI-HC-22

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

(37)

आदेश पत्रक

मामला क्रमांक W.P.4555 **सन्** 2006

..... **विरुद्ध** .....

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश
	30-8-2006 Mrs. Hamida Siddique, counsel for the petitioner. Miss Deepali Pandey, Panel Lawyer for the State/respondents, on advance copy. Heard both the counsel. By this writ petition under Article 226/227 of the Constitution of India, the petitioner has sought for a direction to the respondents to pay the increments and seniority on the basis of the date of his initial appointment in the light of the decision rendered by the State Administrative Tribunal, Jabalpur in O.A.No.1452/1998 (Harish Chandra Singh & others vs. State of M.P. & others) dated 31-1-2000. The case of the petitioner is that he was appointed as Teacher in the School Education Department on probation for a period of two years with fixed salary. However, later on after completion of two years tenure the petitioner was regularized but he is not being given the regular pay scale. Other similarly situated teachers moved the State Administrative Tribunal, Jabalpur for regular pay scale, wherein the learned Tribunal vide order dated 31-1-2000 allowed the same. The petitioner made several representations to accord same treatment as he is also similarly situated Teacher, but the respondents have not paid any heed, therefore, he is forced to file this writ petition. Learned counsel for the petitioner submits that the petitioner may be allowed to make a representation to respondent No.1 to give similar treatment to the petitioner and the same pay scale which has been sanctioned to other similarly situated teachers on account of the order of the State Administrative	

(पीछे देखिये)

XI-HC-22

(40)

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

आदेश पत्रक

मामला क्रमांक W.P.4555/ **सन्** 2006

..... विरुद्ध .....

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित — 2 —	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश
	Tribunal dated 31-1-2000, to which learned counsel appearing for the State/ respondents has no objection. Having heard learned counsel for the parties and having regard to the facts and circumstances of the case, the limited prayer made by learned counsel for the petitioner appears to be just, fair and reasonable. Therefore, the petitioner is allowed to make a representation to respondent No.1 within a period of two weeks from today raising all his grievances and in turn, respondent No.1 shall decide the same in an objective manner within a period of 30 days from the date of its receipt, after considering all the points raised by the petitioner and taking into account the order dated 31-1-2000 passed by the learned State Administrative Tribunal in O.A.No.1452/1998, and if the present petitioner stands on the same footing as the petitioners in O.A.No.1452/1998, then he be also sanctioned the same pay scale and seniority. With the direction aforesaid, the petition stands disposed of. Consequently, I.A.No.8169/2006 also stands disposed of. Parties are entitled for certified copy of this order. Sd/- L.C. Bhadoo Judge	
Soma		

(पीछे देखिये)